

CATS "C" Assignment Sheet

Case Name: Chas Roberts Air Conditioning CATEGORY 3
 Assign To: Schmidt Lawhorn
 (Supervisor) (Agent)

10j Potential: ☒ Yes ☐ No Blocked R Case # _____
☐ Same Situation Group ☐ Companion Group ☐ Disposition Group

Assignment.doc (kdh 2/2007)

CA-21609

mail

New Charge

- 8(a)(1)
- ☐ Changes in Conditions of Employment (not 8(a)(3))
 - ☐ Coercive Statements, Including Threats
 - ☐ Denial of Access (Lechemere)
 - ☐ Discharge of supervisor (Parker-Robb)
 - ☐ Disparagement of Union/Employee
 - ☐ Harassment
 - ☐ Interrogation
 - ☐ Lawsuits
 - ☒ Other Allegations/Derivative 8(a)(1)
 - ☐ Polling Employees
 - ☐ Promise of Benefits
 - ☐ Rules: No-Solicitation/No-Distribution Rules
 - ☐ Rules: Other Employer Rules
 - ☐ Statements of Futility
 - ☐ Surveillance
 - ☐ Violence

- 8(a)(1) Discrimination
- ☐ Concerted: Benefits Altered
 - ☒ Concerted: Discharge
 - ☐ Concerted: Discipline
 - ☐ Concerted: Layoff
 - ☐ Concerted: Lockout
 - ☒ Concerted: Onerous Assignment/Conditions
 - ☐ Concerted: Other Allegations
 - ☐ Concerted: Promotions Withheld
 - ☐ Concerted: Refusal to Consider/Hire
 - ☐ Concerted: Refusal to Reinstate
 - ☐ Concerted: Rewards
 - ☐ Concerted: Shutdown or Relocate
 - ☐ Concerted: Suspension
 - ☐ Concerted: Union Security Related
 - ☐ Concerted: Wages Altered

- 8(a)(1)(A)
- ☐ Assistance
 - ☐ Creation of In-House Organization (Electromotion)
 - ☐ Domination
 - ☐ Interference
 - ☐ Other Allegations
 - ☐ Unlawful Recognition

- 8(a)(3):
- ☐ Benefits Altered
 - ☒ Discharge
 - ☐ Discharge, Constructive
 - ☐ Discipline
 - ☐ Inherently Destructive Conduct
 - ☐ Law Suit
 - ☐ Layoff
 - ☐ Lockout
 - ☐ Onerous Assignments/Conditions
 - ☒ Other Allegations
 - ☐ Promotions Withheld
 - ☐ Refusal to Consider/Hire Applicant (e.g.,
 - ☐ Refusal to Reinstate Employee/Striker
 - ☐ Rewards
 - ☐ Shutdown or Relocate
 - ☐ Subcontract Unit Work
 - ☐ Suspension
 - ☐ Union Security Related Actions
 - ☐ Wages Altered

- 8(a)(4)
- ☐ Benefits Altered
 - ☐ Discharge
 - ☐ Discharge, Constructive
 - ☐ Discipline
 - ☐ Inherently Destructive Conduct
 - ☐ Law Suit
 - ☐ Layoff
 - ☐ Lockout
 - ☐ Onerous Assignments/Conditions
 - ☐ Other Allegations
 - ☐ Promotions Withheld
 - ☐ Refusal to Consider/Hire Applicant (e.g.,
 - ☐ Refusal to Reinstate Employee/Striker (e.g., Laidlaw)
 - ☐ Rewards
 - ☐ Shutdown or Relocate
 - ☐ Subcontract Unit Work
 - ☐ Suspension
 - ☐ Union Security Related Actions
 - ☐ Wages Altered

- 8(a)(5):
- ☐ Alter Ego or Disguised Continuance
 - ☐ Bad Faith Bargaining (Initial Contract)
 - ☐ Bad Faith Bargaining (Successive Contract)
 - ☐ Direct Dealing/Bypassing Union
 - ☐ Failure to Sign Agreement
 - ☐ Implement Drug Testing
 - ☐ Implementation (Colorado Ute)
 - ☐ Implementation (Impasse Issues)
 - ☐ Other Allegations
 - ☐ Refusal to Bargain (Initial Contract)
 - ☐ Refusal to Bargain (Successive Contract)

- 8(a)(5), Cont'd
- ☐ Refusal to Furnish Information
 - ☐ Refusal to Hire Majority
 - ☐ Refusal to Recognize (Gissel)
 - ☐ Refusal to Recognize (not Gissel)
 - ☐ Repudiation/Modification of Contract (Sec. 8(d))
 - ☐ Shutdown or Relocate (e.g., First National Mnt.)
 - ☐ Subcontract Unit Work
 - ☐ Test of Certification
 - ☐ Unilateral Changes (not Sec. 8(d))

- 8(b)(1)(A):
- ☐ Coercive Statements
 - ☐ Denial of Access
 - ☐ Disparagement of Employee
 - ☐ Duty of Fair Representation
 - ☐ Fees, Excessive
 - ☐ Harassment
 - ☐ Hiring Halls
 - ☐ Interrogation
 - ☐ Lawsuits
 - ☐ Other Allegations
 - ☐ Picketing/Strike Actions
 - ☐ Requiring Payments other than dues
 - ☐ Resignation of Membership (Patternmakers)
 - ☐ Rules: Coercive
 - ☐ Surveillance
 - ☐ Threatening Statements
 - ☐ Union Security Related (including Beck)

- ☐ Violence/Assaults
- ☐ Waiver of Fees/Dues (Dairy/lea)

- 8(b)(1)(B):
- ☐ Fund Contribution Related
 - ☐ Lawsuits
 - ☐ Other Allegations
 - ☐ Statements/Threats
 - ☐ Violence

- 8(b)(2):
- ☐ Hiring Hall Related
 - ☐ Lawsuits
 - ☐ Other Allegations
 - ☐ Union Security Related

- 8(b)(3):
- ☐ Bad Faith Bargaining (Initial Contract)
 - ☐ Bad Faith Bargaining (Successive Contract)
 - ☐ Failure to Sign Agreement
 - ☐ Notification requirements (Sec. 8(d))
 - ☐ Other Allegations
 - ☐ Refusal to Bargain (Initial Contract)
 - ☐ Refusal to Bargain (Successive Contract)
 - ☐ Refusal to Furnish Information
 - ☐ Repudiation/Modification of Contract

- 8(b)(4)(A):
- ☐ Actions of Picketers
 - ☐ Handbilling
 - ☐ Language on Picket Sign/Handbill
 - ☐ Law Suits/Grievances
 - ☐ Other Allegations
 - ☐ Reserved Gate Issues
 - ☐ Statements
 - ☐ Time/Place of Picketing

- 8(b)(4)(B):
- ☐ Actions of Picketers
 - ☐ Handbilling
 - ☐ Language on Picket Sign/Handbill
 - ☐ Law Suits/Grievances
 - ☐ Other Allegations
 - ☐ Reserved Gate Issues
 - ☐ Statements
 - ☐ Time/Place of Picketing

- 8(b)(4)(C):
- ☐ Actions of Picketers
 - ☐ Handbilling
 - ☐ Language on Picket Sign/Handbill
 - ☐ Law Suits/Grievances
 - ☐ Other Allegations
 - ☐ Reserved Gate Issues
 - ☐ Statements
 - ☐ Time/Place of Picketing

- 8(b)(4)(D):
- ☐ Actions of Picketers
 - ☐ Handbilling
 - ☐ Language on Picket Sign/Handbill
 - ☐ Law Suits/Grievances
 - ☐ Other Allegations
 - ☐ Reserved Gate Issues
 - ☐ Statements
 - ☐ Time/Place of Picketing

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CHAS ROBERTS AIR CONDITIONING INC.

and

**SHEET METAL WORKERS INTERNATIONAL
ASSOCIATION LOCAL UNION 359**

CASE 28-CA-21607

DATE OF MAILING October 10, 2007

AFFIDAVIT OF SERVICE OF **CHARGE AGAINST EMPLOYER**

I, the undersigned employee of the National Labor Relations Board, being duly sworn, depose and say that on the date indicated above I served the above-entitled document(s) by regular mail upon the following persons, addressed to them at the following addresses:

Chas Roberts Air Conditioning Inc.
9828 North 19th Avenue
Phoenix, AZ 85021

Subscribed and sworn to before me this 10th day
of October, 2007. /s/Lorie M. Elswick

DESIGNATED AGENT

/s/Kathleen M. Smart
NATIONAL LABOR RELATIONS BOARD



ATTORNEYS

Ryley Carlock & Applewhite

A PROFESSIONAL ASSOCIATION

One North Central Avenue
Suite 1200
Phoenix, Arizona 85004
Telephone 602-258-7701
Facsimile 602-257-9582

Rodolfo Parga, Jr.
Direct Line: 602-440-4848
Direct Fax: 602-257-6948
E-mail: rparga@rcalaw.com

Offices in:
Phoenix, Arizona
Denver, Colorado
www.rcalaw.com

October 16, 2007

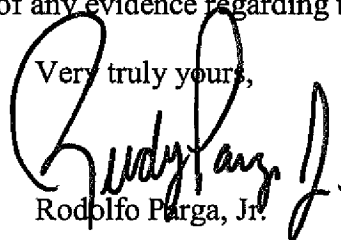
Johannes A. Lauterborn
National Labor Relations Board, Board Agent
Region 28
2600 North Central Avenue, Suite 1800
Phoenix, Arizona 85004-3099

Re: Chas Roberts Air Conditioning and
Sheet Metal Workers International Association, Local 359;
Case 28-CA-21607

Dear Mr. Lauterborn:

The undersigned has been retained to represent Chas Roberts Air Conditioning regarding the above-referenced charge. We are currently preparing our statement of position and anticipate forwarding it to your attention shortly. Please contact me directly if you require the submission of any evidence regarding this matter.

Very truly yours,



Rodolfo Parga, Jr.



**UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD**

Region 28
2600 North Central Avenue, Suite 1800
Phoenix, AZ 85004-3099
Telephone: (602) 640-2161
Facsimile: (602) 640-2178
Email: NLRBRegion28@nlrb.gov

Resident Offices

421 Gold Avenue, SW - Suite 310
P.O. Box 567
Albuquerque, NM 87103-0567
Telephone: (505) 248-5125
Facsimile: (505) 248-5134

600 Las Vegas Boulevard South - Suite 400
Las Vegas, NV 89101-6637
Telephone: (702) 388-6417
Facsimile: (702) 388-6248

November 28, 2007

Rodolfo Parga, Jr., Attorney at Law
Ryley, Carlock and Applewhite
One North Central Avenue, Suite 1200
Phoenix, AZ 85004

Re: Chas Roberts Air Conditioning, Inc.
Case 28-CA-21607

Dear Mr. Parga:

This is to advise you that the Charging Party's request to withdraw the charge in the subject case has been approved.

Very truly yours,

/s/ Cornele A. Overstreet

Cornele A. Overstreet
Regional Director

cc: Chas Roberts Air Conditioning, Inc.
9828 North 19th Avenue
Phoenix, AZ 85021

Sheet Metal Workers International
Association Local Union 359
2604 East Adams
Phoenix, AZ 85034

Case 28-CA-21607

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Insert Date

CAO/JAL/lme